

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MATTHEW ROBERT DESCAMPS,

Plaintiff,

vs.

BUSH, et al.,

Defendants.

NO. CV-11-035-EFS

**ORDER DENYING *IN FORMA PAUPERIS*
STATUS AND DISMISSING ACTION FOR
LACK OF JURISDICTION**

Plaintiff, a *pro se* prisoner at the U.S. Penitentiary in Jonesville, VA, brings this action, purportedly under 42 U.S.C. § 1983. After review of the complaint and Plaintiff's application to proceed *in forma pauperis*, the Court finds it lacks jurisdiction to consider claims regarding Plaintiff's current conditions of confinement as he is presently incarcerated outside this judicial district.

This Court has previously determined Mr. Descamps is precluded from proceeding *in forma pauperis* under 28 U.S.C. § 1915(g). See CV-07-121-EFS, ECF No. 6. Plaintiff's present factual allegations do not support his conclusion that his life is in danger. Therefore, the Court finds it would not be in the interest of justice to transfer this action under 28 U.S.C. § 1631.

Accordingly, **IT IS ORDERED** the application to proceed *in forma pauperis* is denied. **ORDER DENYING *IN FORMA PAUPERIS* STATUS AND DISMISSING ACTION FOR LACK OF JURISDICTION -- 1**

1 *pauperis* is **DENIED** and the Complaint is **DISMISSED without prejudice** for
2 lack of jurisdiction.

3 **IT IS SO ORDERED.** The District Court Executive is **DIRECTED** to
4 enter this Order, enter judgment, and forward a copy to Plaintiff, along
5 with the original documents received in this action on January 26, 2011.
6 The Court certifies any appeal of this dismissal would not be taken in
7 good faith.

8 **DATED** this 26th day of January 2011.

9
10 s/ Edward F. Shea

11 EDWARD F. SHEA
12 UNITED STATES DISTRICT JUDGE

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